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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 16 2000

TECH CENTER 1600/2900

In re Application of: :
TONER et al. : Office of Initial Patent Examination
Serial No.: 09/425,289 : Customer Service Center
Filed: October 25, 1999 :
For: EMBOLUS THERAPY USING INSOLUBLE MICROPARTICLES
OR VESICLES CONTAINING CONTRAST AGENTS

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants note that the Official Filing Receipt, copy attached, in the above-identified application contains the following errors.

Specifically, the first inventor's name is spelled incorrectly, instead of "Thomas" it should be **TONER**; and the fourth inventor's name is misspelled, instead of "Gregory Lyon McIntere" it should be **GREGORY LYNN McINTIRE**.

Applicants also note that in the "Continuing Data as Claimed by Applicant", this application is not a 371, it is a **CONTINUATION** of PCT/GB98/01195, filed April 24, 1998.

Also, there is no reference to the Foreign Applications which include: **GB 9708250.7, filed 24 April 1997 and GB 9725007.0, filed 26 November 1997.**

In addition, the first word in the title is misspelled. It should be **EMBOLUS** instead of "EMBOUUS".

Attached is a copy of the Declaration as filed with the errors highlighted. The errors therefore are believed to be chargeable to the USPTO, and therefore no fee is required.

However, if any fees are deemed necessary, they may be charged to Deposit Account #02-0200. A duplicate of this request is enclosed.

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TECHNICAL SERVICES DIVISION

Serial No. 09/425,289

Accordingly, it is respectfully requested that the USPTO data base for this application be corrected and a CORRECTED Filing Receipt be issued for this application and forwarded to the undersigned as soon as possible.

Respectfully submitted,

BACON & THOMAS, PLLC

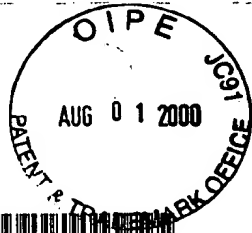
By: Richard E. Fichter
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REF/kdd
REQUESTFORCOR-OFR.PTO.wpd

July 31, 2000

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FILING RECEIPT



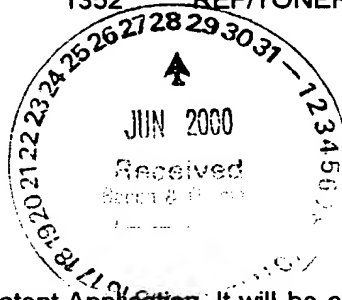
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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/425,289	10/25/1999	1616	1352	REF/TONER/19	8	37	5

BACON & THOMAS PLLC
625 SLATERS LANE 4TH FLOOR
ALEXANDRIA, VA 223141176



Date Mailed: 06/22/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John Luke Thomas, Libertyville, IL ; *TONER*
Gerald Lee Wolf, Winchester, MA ;
Daryl Michael Simmons, Niantic, CT ;
Gregory Lyon McIntire, Westchester, PA ; *GREGORY LYNN MCINTIRE*
Edward Richard Bacon, Audobon, PA ;
Kathleen Illig, Phoenixville, PA ;

Continuing Data as Claimed by Applicant *CONTINUATION*

THIS APPLICATION IS A ~~371~~ OF PCT/GB98/01195 04/24/1998
AND CLAIMS BENEFIT OF 60/057,073 08/27/1997

Foreign Applications

GB 9708250.7 filed 24 April 1997
GB 9725007.0 filed 26 November 1997

If Required, Foreign Filing License Granted 11/16/1999

Title

EMBOUS
EMBOUS THERAPY USING INSOLUBLE MICROPARTICLES OR VESICLES CONTAINING
CONTRAST AGENTS

Preliminary Class

424

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UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov


Bib Data Sheet

SERIAL NUMBER 09/425,289	FILING DATE 10/25/1999 RULE -	CLASS 424	GROUP ART UNIT 1616	ATTORNEY DOCKET NO. REF/TONER/19
APPLICANTS John Luke Toner, Libertyville, IL ; Gerald Lee Wolf, Winchester, MA ; Daryl Michael Simmons, Niantic, CT ; Gregory Lynn1` Mcintire, Westchester, PA ; Edward Richard Bacon, Audobon, PA ; Kathleen Illig, Phoenixville, PA ;				
** CONTINUING DATA ***** THIS APPLICATION IS A CON OF PCT/GB98/01195 04/24/1998				
** FOREIGN APPLICATIONS ***** UNITED KINGDOM 9708250.7 04/24/1997 UNITED KINGDOM 9725007.0 11/26/1997				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 11/16/1999 -				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged _____ Examiner's Signature _____ Initials _____		STATE OR COUNTRY IL	SHEETS DRAWING 8	TOTAL CLAIMS 37
				INDEPENDENT CLAIMS 5
ADDRESS BACON & THOMAS PLLC 625 SLATERS LANE 4TH FLOOR ALEXANDRIA ,VA 223141176				
TITLE EMBOLUS THERAPY USING INSOLUBLE MICROPARTICLES OR VESICLES CONTAINING CONTRAST AGENTS				
FILING FEE RECEIVED 1352	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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 SEP 13 2000
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ATTORNEY/DOCKET NO: RBP/TONER/195

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below named inventor, I hereby declare that my residence, ~~past~~ office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled:

EMBOLUS THERAPY USING INSOLUBLE MICROPARTICLES OR VESICLES CONTAINING CONTRAST AGENTS
the specification of which (Attorney Docket RBP/Toner/195) (check one):

☐ is attached hereto, or ☒ was filed on: 24 April 1998 as PCT International Application Number: PCT/GB98/01195

and (if applicable) was amended on: July 13, 1999

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	
Number	Country	Day/Month/Year Filed	Yes	No
9708250.7	GB	24 April 1997	X	
9725007.0	GB	26 November 1997	X	

☐ Additional Priority Application(s) Listed on Following Page(s)

I HEREBY CLAIM THE BENEFIT UNDER TITLE 35 U.S. CODE §119(E) OF ANY U.S. PROVISIONAL APPLICATIONS LISTED BELOW.	
Application Number	Day/Month/Year Filed
60/057,073	27 August 1997

☐ Additional Provisional Application(s) Listed on Following Page(s)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Number	Filing Date	Status - Patented, Pending or Abandoned
PCT/GB98/01195	April 24, 1998	Pending

☐ Additional US/PCT Priority Application(s) listed on Following Page(s)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: J. Ernest Kenney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard B. Pichter, Reg. No. 26,382; Charles R. Wolfe, Jr., Reg. No. 28,680; Thomas J. Moore, Reg. No. 28,974; Joseph DeBenedictis, Reg. No. 28,502; Benjamin E. Urcin, Reg. No. 33,805; and

I (we) authorize my(our) attorneys to accept and follow instructions from FRANK B. DEHN & CO. regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I (we) or my(our) assigns withdraw this authorization in writing.

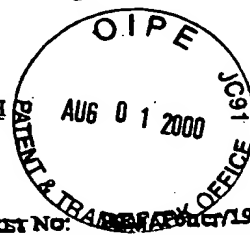
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FULL NAME OF FIRST OR SOLE INVENTOR John Luke TONER	CITIZENSHIP United States of America
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DATE 5/15/00	SIGNATURE <i>John L. Toner</i>

See following page(s) for additional joint inventors.

(04 JUL 1998)



ATTORNEY/DOCKET NO. 198

CONTINUATION OF DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

Page 2

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DATE 5/16/00	SIGNATURE Gerald Lee Wolf by John L. Foner

FULL NAME OF JOINT INVENTOR Daryl Michael SIMMONS	CITIZENSHIP United States of America
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FULL NAME OF JOINT INVENTOR Gregory Lynn MCINTIRE	CITIZENSHIP United States of America
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DATE 5/16/00	SIGNATURE Kathleen Illig by John L. Foner

See following pages for additional joint inventors/priority applications.

(DECLARED)